

Exhibit

10

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Y.A.F. et al v Stenger et al - 3/24/23 - Spencer Haynes

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF NEW YORK

YOUNG AMERICA'S FOUNDATION,
BINGHAMTON UNIVERSITY COLLEGE
REPUBLICANS AND JON LIZAK,
PRESIDENT OF THE COLLEGE
REPUBLICANS OF BINGHAMTON UNIVERSITY,

Plaintiff,

v

Index No.: 9:21-CV-0661

HARVEY STENGER, PRESIDENT OF SUNY
BINGHAMTON, IN HIS OFFICIAL AND
INDIVIDUAL CAPACITIES; BRIAN ROSE,
VICE PRESIDENT FOR STUDENT AFFAIRS OF
SUNY BINGHAMTON, IN HIS OFFICIAL AND
INDIVIDUAL CAPACITIES; ET AL.,

Defendants.

X

DEPOSITION OF: SPENCER HAYNES

DATE: March 24, 2023

TIME: 9:02 a.m. to 2:45 p.m.

VENUE: WebEx

Reported by Danielle Christian

800.523.7887

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2 page there, that page being page twenty-five of
3 Exhibit One.

4 And paragraph one twenty-two reads
5 Pelletier -- Pelletier's and U.P.D.'s minimal and
6 delayed efforts eventually removed the disruptor with
7 the microphone -- with the megaphone, but only after
8 he handed off the megaphone so that others could
9 continue to disrupt the event and block Plaintiff's
10 expression.

11 Did I read that correctly, sir?

12 A. Yes, you did.

13 Q. And it's fair to say you didn't
14 see this happen, you already testified, you didn't
15 see the megaphone disruptor removed?

16 A. Correct.

17 Q. Okay. And do you have any
18 personal knowledge how many people were arrested, if
19 anyone?

20 A. I -- I don't have numbers. I
21 only -- only gave them names and they did whatever
22 they did after the fact. But I -- I don't know
23 numbers.

24 Q. Okay. Was anyone from College
25 Republicans arrested by the U.P.D.?

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2 A. Not that I know of.

3 Q. Let me share a screen for you.

4 And this is going to be from what we've referred to

5 as part of Defendant's Exhibit Fifteen and this is

6 going to be at minute twenty-seven of a security

7 video. And I will put this up on the screen for you.

8 Let me know when you can see it, sir.

9 A. Yes, I can see it.

10 Q. Okay. Do you know what this

11 depicts?

12 A. This -- this depicts the Art
13 Laffer speech, probably close to when the disruption
14 started.

15 Q. Okay. And would you agree with
16 me -- and Steve, would you agree with me, this is --
17 this is minute twenty-seven?

18 A. Yes.

19 MR. MILLER: Yes.

20 BY MR. MOORE: (Cont'g.)

21 Q. And do you see a man at the
22 podium?

23 A. Yeah.

24 Q. Who is that man?

25 A. That's Art Laffer.